



Maryland Department of Planning

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Richard Eberhart Hall
Secretary
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Deputy Secretary

August, 20, 2008

Ms. Amy Moore
Town of Queenstown
P.O. Box 4
Queenstown, MD 21658

Dear Ms. Moore:

Thank you for the opportunity to comment on the draft Comprehensive Plan for the Town of Queenstown. The Department feels that good planning is important for efficient and responsible development that adequately addresses resource protection, adequate public facilities, community character, and economic development. Generally, the Draft Comprehensive Plan reflects State planning law, policies and objectives except for some elements of House Bill 1141.

Although some of the requirements of HB 1141 have been added to the plan, the plan in its current state does not meet all of the requirements of this legislation. Several modifications must be made to comply with this legislation including the inclusion of a Water Resource Element. Although the Town has until October 1, 2009 to include the requirements of HB 1141 into the Comprehensive Plan, we encourage you to consider including the Water Resource Element at this time. The Maryland Department of Planning would be happy to meet with the Town to assist in this endeavor.

Given the importance of maintaining the present unique character of Queenstown as identified in the Plan, we have prepared comments to consider in achieving these goals. They are included in the attachment to this letter. In addition we forwarded a copy of the Plan to a number of State agencies for review including the Department of transportation, Environment, Natural Resources, Business and Economic Development, Housing and Community Development, and Agriculture. Any plan review comments received to date from the various State agencies have been included as attachments for your consideration. Comments received after the date of this letter will be forwarded to you upon receipt.

The attached comments reflect on ways to strengthen the Plan as well as satisfy State requirements. We hope that consideration will be given to all of our comments as revisions are made, and to any future plans, ordinances, and policy documents that are developed. We understand that a Public Hearing has not been scheduled as yet. Once the Public Hearing is scheduled, it is our wish that our comments be added to the record.

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Finally, we want to apologize for the additional time in finalizing this review due to staffing changes in the Department of Planning. We appreciate your patience in this matter. Feel free to contact me at (410) 767-4500 or Mary Ann Skilling, Regional Planner for the Upper Eastern Shore at (410) 767-4573.

Sincerely,

A handwritten signature in cursive script, appearing to read "S. Martins".

Stephanie Martins
Director, Land use Planning and Analysis

cc: Mary Ann Skilling

Maryland Department of Planning

Draft Queenstown Community Plan

Review Comments

During the 2006 legislative session House Bill 1141 was passed requiring Counties and Municipalities address several new elements within their Comprehensive Plans. Under the provisions of this law all new elements will need to be included into comprehensive plans by October 1, 2009. Guidance documents for the Municipal Growth Element are available at the Maryland Department of Planning website (<http://www.mdp.state.md.us/>).

MUNICIPAL GROWTH ELEMENT

GROWTH CAPACITY/BUILD OUT ANALYSIS

While the plan does address many of the requirements for the Municipal Growth Element the Maryland Department of Planning recommends that it be its own, distinct, separate section in the Plan.

The Town has done a good job of incorporating population projections and a development capacity analysis into the draft plan. However, it is difficult to determine the link or relationship between future growth projections and the build out analysis for the Town.

The Town is projected to grow by an additional 316 - 458 persons between 2000 and 2030 (pgs. 56-57), while the capacity analysis estimates a total capacity for the Town and growth areas of 1,322 additional persons for the preferred Consolidated Alternative. The baseline capacity scenario which includes only the corporate limits of the Town estimates a capacity of 835 additional persons. This indicates that the Town has sufficient capacity within current corporate limits to accommodate projected growth. In the context of planning it is important to strive for a balance between land supply and demand.

- Provide too little land for development (be it on greenfields, redevelopment, or infill), and the land cost will become too high or development may spill over to adjacent jurisdictions.
- Provide too much land for development and it will tend to be used inefficiently. In addition, plans and growth controls will be marginalized because there are an abundance of locational options for each new development.

Additionally the Town should ensure that the following requirements are addressed in the Plan:

- The Town should identify one population projection in which to base future planning. There are currently two population projections provided in figure 2-2 on page 57, but no discussion on how they relate to the development capacity analysis.
- The Plan should provide a map of future annexation areas, and a potential timeframe for annexation or establish a prioritization schedule for the growth areas. This will help ensure for the proper balance between land supply and demand.
- A more detailed plan for how the town plans on financing future facility needs is necessary. If it is the Town's intent that developer(s) absorb infrastructure expenses associated with major development, what portion of the costs should

developer(s) absorb? Should the developers donate land for a school site, pay for the update of a treatment plant, or increase capacity for public water? Under what conditions should the developers provide such assistance?

COMMUNITY FACILITIES: WATER SUPPLY AND SEWER CAPACITY

COMMUNITY FACILITIES

The Plan discusses the visions and goals for the Town and details the growth areas expected to fulfill the expectations for a consolidated but historically based growth pattern. The Plan also indicates that at this time the Town is at and, at times, above its capacity to supply more drinking water or wastewater treatment for any further growth until those resources are expanded to do so. The Town operates and maintains the public water and sewer systems at this time and the Plan indicates the need to investigate options for improving service to meet the growth goals within the designated growth areas through the provision of public water and sewer. The stated coordinated growth agreements between the Town and the County will be helpful for the County to regulate its Land Use Plan and development requirements in support of this Plan. In short, the Plan iterates that the public water and sewer infrastructure is to be extended only within the confines of the Town boundary and all growth areas are expected to be developed with water and sewer, with the County supporting such growth in that manner. This is a sound Smart Growth Plan.

The order in which the growth areas will come into action is determined largely by the economy and thus the annexations, water and sewer plan amendments and the extensions of public water and sewer are unknown. Future land use should be emphasized in the Plan that commercial development has a certain obligation to support all parts of the plan, including utility service considerations for all growth areas, in light of the limited discharge to the Little Queenstown Creek or the other options discussed on page 47 (more comment below). This could be done by limiting sewer and water allocations to a performance based criteria (only so much commercial before residential development, service extensions to known failing septic areas, etc.).

WATER RESOURCES ELEMENT (WRE)

The Plan is missing this element without mention of one being added at a future date. This element must address the following:

- Drinking water and other water resources that will be adequate for the needs of existing and future development proposed in the Land Use Element of the Plan considering available data provided by the Maryland Department of Environment; and
- Identify suitable receiving waters and land areas to meet stormwater management, wastewater treatment and disposal needs of existing and future development proposed in the Land Use Element.

MDE is required to review the WRE to determine whether it is consistent with the programs and goals of the Department reflected in the general water resources program required under Section 5-203 of the Environment Article. Criteria by which the WRE will be reviewed are included in the WRE Models and Guideline enclosed with these comments. These documents are also available online at www.mdp.state.md.us. It is important to note that these newly required elements mandated in HB 1141 are required to be completed by October 2009.

GENERAL COMMENTS

It would be helpful if the Alternatives Land Use Maps on pages 30-33 were identified lands within the current corporate limits and those areas designated for annexation in the future.

On page 42, change the word "country" to "county" in the 5th paragraph.

On page 47, the Plan discussion of two options for future wastewater discharge does not mention the consideration of surface spray irrigation and reuse, but should. The two options are to use the current Little Queenstown Creek to its maximum 360,000 gpd limit or send it to the Bay via the County's Kent Island WWTP. These two options are then broadened to four options that should rather be referred to as alternatives to the two options. One of the four *alternatives* does include the use of spray irrigation or re-use in combination with a full expansion (600,000 gpd) of the current WWTP. This section should be reworked to read clearer and provide development guidance to the current TMDL limitations within the watershed(s).